

Notice of Allowability

Application No.

10/531,478

Examiner

Jaison P. Thomas

Applicant(s)

MORI, YUKIE

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to request for continued examination filed on 7/3/2007.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 6/07,8/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/14/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


Mark Kopec
Primary Examiner

DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species:

- I. An epoxy resin containing fine particles of silicone rubber having reactive group at a terminal, an epoxy resin having a siloxane bond (-Si-O-Si- bond) within a molecule, a urethane-modified epoxy resin obtained when a urethane prepolymer obtained by a reaction between polyether polyol and polyisocyanate is reacted with an epoxy resin having a hydroxyl group within a molecule.
- II. A epoxy resin having the structure labeled (v) described in Claim 1, a rubber modified epoxy resin with fine particles of liquid rubber as described in claim 1, a polythiol-based epoxy resin as described in Claim 1.

The species are independent or distinct because the structure of the individual groups of species are chemically distinct.

2. During a telephone conversation with Brian Anscombe on 9/14/2007 an election was made to prosecute the invention of II, claims 1-6.

3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Anscombe on 9/14/2007.

The application has been amended as follows:

- 1.1 In Claim 1, **delete** "an epoxy resin containing fine particles of silicone rubber having reactive group at a terminal;"
- 1.2 In Claim 1, **delete** "an epoxy resin having a siloxane bond (-Si-O-Si- bond) within a molecule;"
- 1.3. In Claim 1, **delete** "a urethane-modified epoxy resin obtained when a urethane prepolymer obtained by a reaction between polyether polyol and polyisocyanate is reacted with an epoxy resin having a hydroxyl group within a molecule;"
- 1.4 In Claim 3, **delete** "comprising a pair of electrodes disposed so as to oppose each other, and a thermistor body having a positive temperature characteristic disposed between the electrodes," and **replace** with --according to Claim 1,--.

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: The closest prior art known to the Examiner is listed on the attached PTO 892 and 1449 forms. As

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shown in Handa et al. (US Patent 6452476), it is known in the art to make thermistors using epoxy modified polyurethanes, siloxanes and epoxy containing silicone rubber particles. However, the art does not teach, suggest or motivate the use of polythiol based epoxies, rubber modified epoxies containing fine liquid rubber particles or an epoxy modified compound containing structure Formula (v) as illustrated in Claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jaison P. Thomas whose telephone number is (571) 272-8917. The examiner can normally be reached on Mon-Fri 8:30 am to 5:00 pm.
4. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas McGinty can be reached on (571) 272-1029. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaison Thomas
Examiner
9/14/2007

JT



Mark Kopec
Primary Examiner